



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: FEBRUARY 26, 2007

VI.2
ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-06-71
773 SCOTT PLACE**

DATE: FEBRUARY 15, 2007

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714)754-5136

BACKGROUND

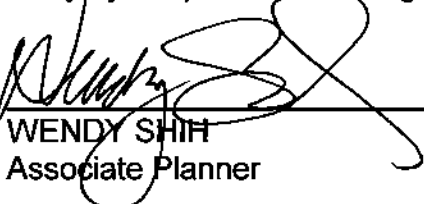
The subject application was continued from the February 12, 2007, Planning Commission meeting upon applicant's request. The original staff report, with updated resolutions, is attached for reference.

APPLICANT

Robert J. Shine is the property owner and applicant for this project.

RECOMMENDATION

Deny by adoption of Planning Commission resolution.


WENDY SHIH
Associate Planner


R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

Attachments: Planning Commission Agenda Report for February 12, 2007
Draft Planning Commission Resolution
Exhibit "A" - Draft Findings
Exhibit "B" - Draft Conditions of Approval
Applicant's Project Description and Justification
Zoning/Location Map
Plans

cc: Deputy City Mgr.-Dev. Svs. Director
Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Robert J. Shine
265 16th Place, #3
Costa Mesa, CA 92627

File: 022607PA0671

Date: 021507

Time: 11:30 a.m.



PLANNING COMMISSION AGENDA REPORT

X.6

MEETING DATE: FEBRUARY 12, 2007

ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-06-71
773 SCOTT PLACE

DATE: FEBRUARY 1, 2007

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER 714.754.5136

DESCRIPTION

The applicant is requesting approval of a variance from minimum garage width requirements for the conversion of a 2-car garage and a 1-car garage to three, single-car garages.

APPLICANT

Robert J. Shine is the property owner and applicant for this project.

RECOMMENDATION

Deny by adoption of Planning Commission resolution.


WENDY SHIH
Associate Planner


R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 773 Scott Place Application: PA-06-71

Request: Variance from minimum garage width requirements for the conversion of a 2-car garage and a 1-car garage to three, single-car garages.

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	<u>R3</u>	North:	<u>Surrounding properties</u>
General Plan:	<u>High Density Residential</u>	South:	<u>are all R3</u>
Lot Dimensions:	<u>75 ft. x 80 ft.</u>	East:	<u>zoned and</u>
Lot Area:	<u>6,000 sq.ft.</u>	West:	<u>developed.</u>
Existing Development:	<u>3-unit apartment complex with a 2-car garage and a 1-car garage.</u>		

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Code Requirement</u>	<u>Proposed/Provided</u>
Density:		
Zone/General Plan	1 du/ 2,178 sq.ft.	1 du/ 2,000 sq.ft. ¹
Lot Size:	12,000 sq.ft.	6,000 sq.ft. ¹
Lot Width:	100 ft.	75 ft. ¹
Parking:		
Covered	3	3
Open	5	0
Guest	2	0
TOTAL	10	3 ¹
Driveway Length	19 ft. minimum	11 ft. ¹
Garage Width	10 ft. per space	8 ft.-9 in. per space ²
Garage Depth	20 ft.	20 ft.

CEQA Status	<u>Exempt-Class 1</u>
Final Action	<u>Planning Commission</u>

- 1 Existing, nonconforming.
2 Requested variance.

PROJECT DESCRIPTION

The subject property is located mid-block between Placentia Avenue and Wallace Avenue, on the south side of Scott Place. It contains a 3-unit, single-story apartment complex with an attached garage and a partition separating the single-car space from a double-car space. The applicant requests approval of a variance from minimum garage width requirements (10 feet per space required; 8 feet-9 inches proposed) to modify the existing partition and to add another partition, resulting in three, single-car garage spaces.

ANALYSIS

It is staff's opinion that special circumstances applicable to the property do not exist to justify approval of the garage width variance. Specifically, the existing garage containing an approximately 9-foot wide, single-car space and an 18-foot wide, double-car space is nonconforming because current Zoning Code requires a minimum 10-foot width per parking space. Modification of the existing partition and addition of another partition would make each garage space narrower and, therefore, more nonconforming. The Code also discourages the construction of solid walls to separate individual parking spaces for apartments. The intent of the Code is to discourage the garage areas to be used as individual storage spaces so that they may be available for off-street parking. It is staff's opinion that creating more nonconforming garage spaces would make parking vehicles inside the structure difficult, resulting in the individual garage spaces that will be used for storage rather than for parking purposes. Additionally, the existing nonconforming driveway length (11 feet) cannot accommodate on-site parking. If the garage spaces are made narrower and more difficult to park in, cars are likely to be parked in the driveway, overhanging onto the City sidewalk.

It is staff's opinion that approval of the variance would negatively impact surrounding properties and constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity.

GENERAL PLAN CONFORMITY

The General Plan designation of the property is unaffected by the variance since it will not affect the use of the property.

ALTERNATIVES

1. If the application is approved, it would allow the existing garage to be divided into three, single-car spaces.
2. If the application is denied, the nonconforming single-car and double-car garages would remain. Additionally, the applicant could not submit substantially the same request for six months.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15301 for Existing Facilities.

CONCLUSION

It is staff's opinion that special circumstances applicable to the property do not exist to justify approval of the garage width variance. The proposed modification would make the existing garage width more nonconforming and parking inside the garage difficult. It is staff's opinion that approval of the variance would constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibit "B" - Draft Conditions of Approval
 Applicant's Project Description and Justification
 Zoning/Location Map
 Plans

cc: Deputy City Mgr.-Dev. Svs. Director
 Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Robert J. Shine
265 16th Place, #3
Costa Mesa, CA 92627

File: 021207PA0671	Date: 013007	Time: 1: 15 p.m.
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RESOLUTION NO. PC-07-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA DENYING PLANNING APPLICATION
PA-06-71**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by owner of property, Robert J. Shine, with respect to the real property located at 773 Scott Place, requesting approval of a variance from minimum garage width requirements for the conversion of a two-car garage and a one-car garage to three, single-car garages in the R3 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on February 12, 2007, and continued to February 26, 2007.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **DENIES** Planning Application PA-06-71 with respect to the property described above.

PASSED AND ADOPTED this 26th day of February 2007.

Donn Hall,
Chair of Costa Mesa Planning Commission

RESOLUTION NO. PC-07-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-06-71**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by owner of property, Robert J. Shine, with respect to the real property located at 773 Scott Place, requesting approval of a variance from minimum garage width requirements for the conversion of a two-car garage and a one-car garage to three, single-car garages in the R3 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on February 12, 2007, and continued to February 26, 2007.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-06-71 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-06-71 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 26th day of February 2007.

Donn Hall,
Chair of Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on February 26, 2007, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29 (e) because:
- a. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 - b. The General Plan designation of the property is unaffected by the proposed garage modification since it will not affect the use of the property.
 - c. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29 (g)(1) because special circumstances applicable to the property do not exist to justify approval of the variance from minimum garage width requirements. Specifically, the addition of a partition wall inside an existing, nonconforming garages would make parking spaces smaller and more difficult to park inside the structure, which could also discourage the use of the garages for parking purposes. Approval of the variance would constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures, and has been found to be exempt from CEQA under Section 15301 for Existing Facilities.
- D. The project is exempt from ChapterXII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL (if project is approved)

- Plng.
1. The garages shall be used for parking purposes only.
 2. The conditions of approval and summary of code requirements and special district requirements of Planning Application PA-06-71 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 3. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the release of utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 4. Materials delivery, equipment operation, and other construction-related activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 6 p.m. Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.

1. Fully describe your request: It is my request to split a two car garage into two separate garages. A single third garage next to the two car garage needs additional wall support. The existing property has three units; it is my request for each tenant to have their own garage for vehicle parking. Driving around the city of Costa Mesa, I have seen tri-plex units remodeled with the double car garage split into two separate garages and the third garage left unchanged. My property resembles this sinerio and I would ask the counsel members to consider my property as a candidate.

2. Justification:

A. With limited parking on the west side of Costa Mesa, one more garage would get an additional vehicle off the street. This would benefit the neighborhood of less vehicle-clutter and maintain confinement within a separate garage.

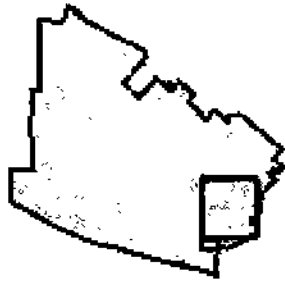
Driving around the city of Costa Mesa, I have seen tri-plex buildings with the two car garages next too a single car garage remodeled and split into three separate garages. My property resembles this sinerio and I would ask for your understanding in this matter, "If it's good enough for other properties, its good enough for my property".

B. Size of garages; Widths include 7ft. 1", 7ft. 1", 7ft. 10", Debt include 21ft 3" for all three garages. The use of the double car garage and the single car garage are used in their entirety, no additional add-on structural width or debt is used.

City of Costa Mesa

773 SCOTT PLACE - [Created: 1/29/2007 9:13:00 AM] [Scale: 145.69] [Page: 8.5 x 11 / Landscape]

Overview Map



Map Display

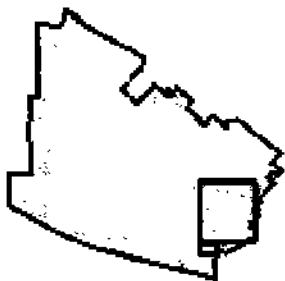


Legend

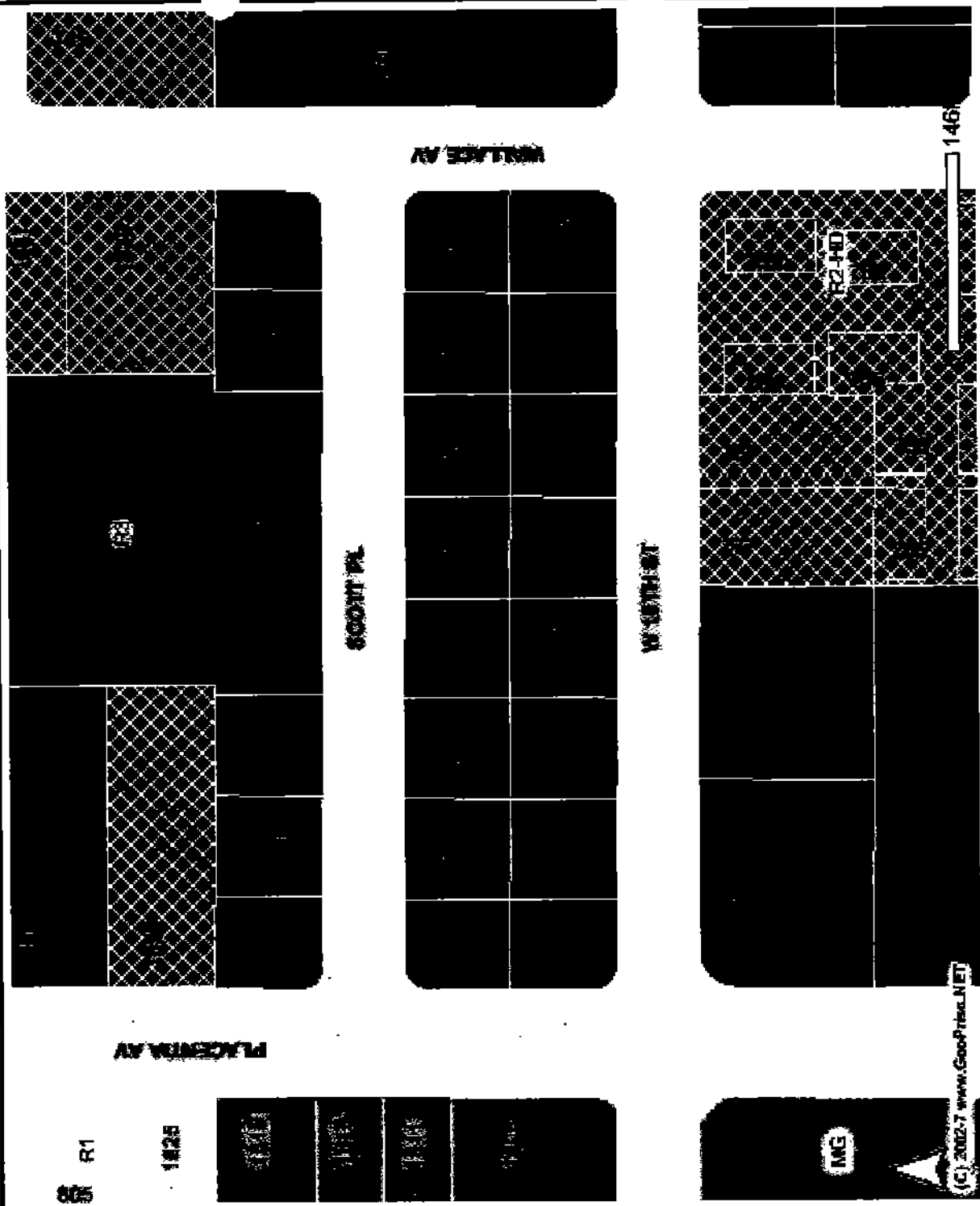
- Address Medium
- Address Points
- Street Names
- Parcel Lines
- Dwelling General
- Level 1 Ortho Photo
- Parcels
- ROW
- Polygon
- City Boundary
- City

12

Overview Map



Map Display

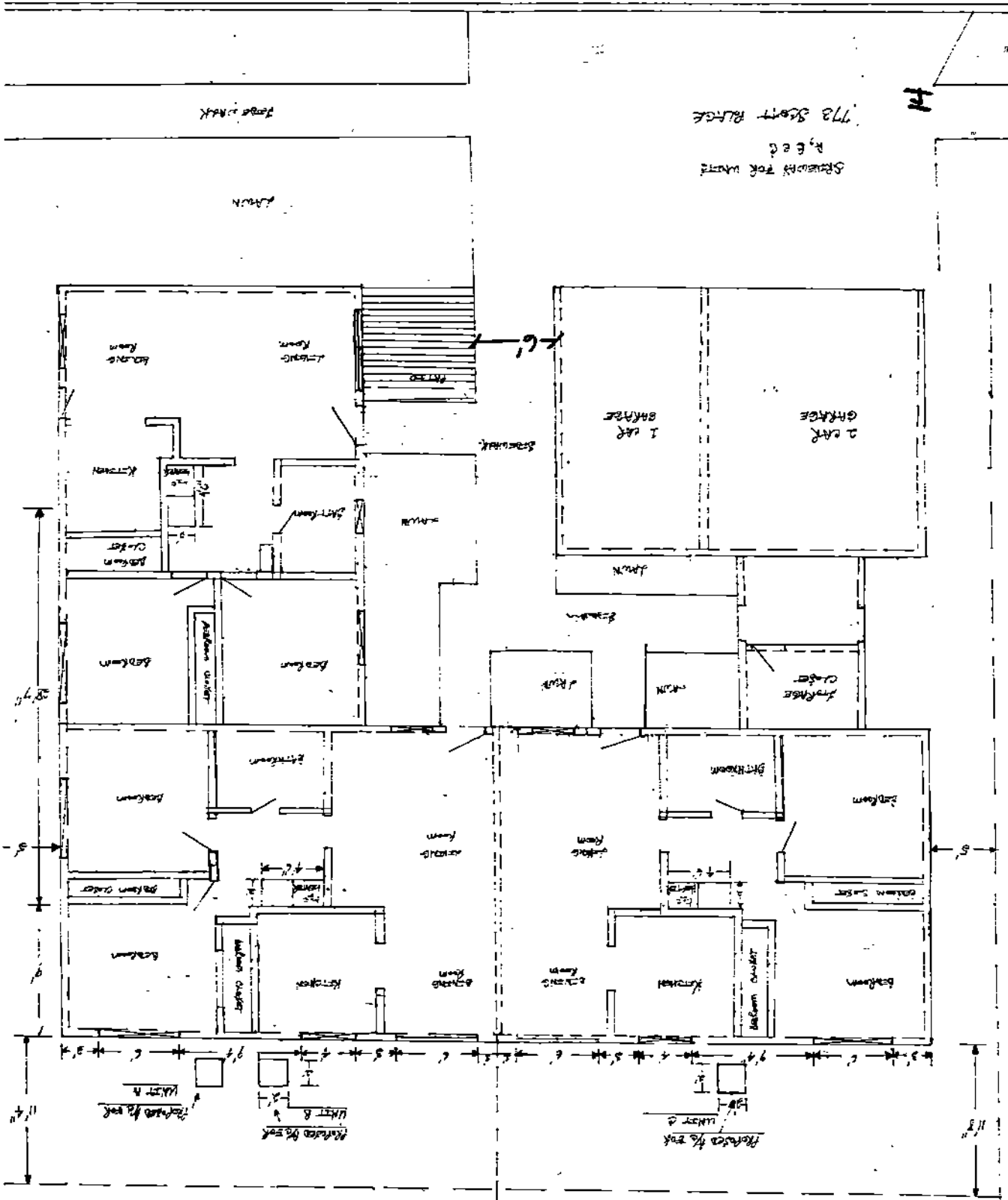


Legend

Address Medium	Zoning
Address Points	AP
Street Names	C1
Parcel Lines	C1-S
City Boundary	C2
	CL
	MLR
	MLR-S
	MG
	MP
	P
	POC
	POI
	PDR-HQ
	(cont)

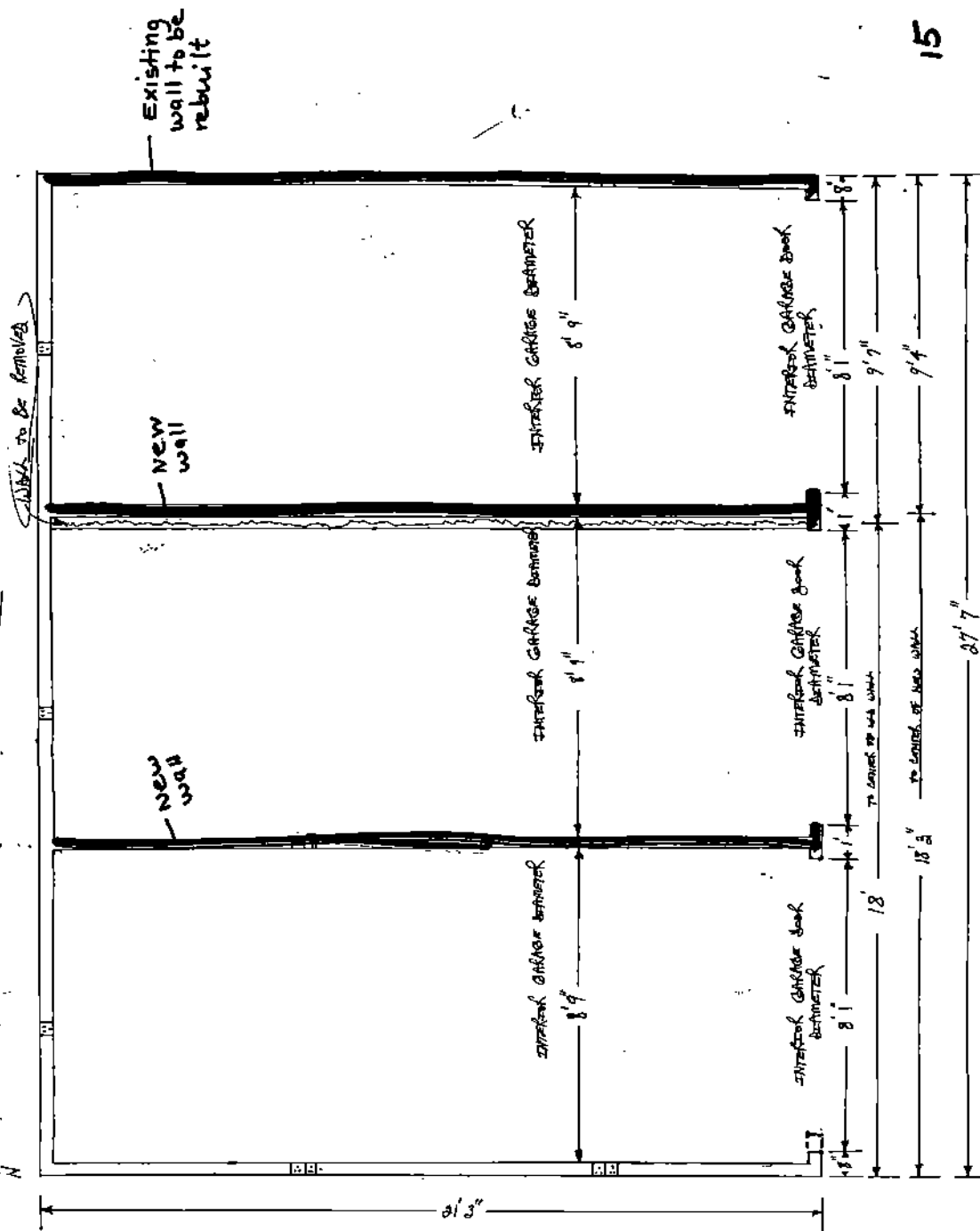
2nd Floor

5
APPROX
ON
NOT
SUN
1



773 SCOTT PL.
(GARAGE RETROFIT)

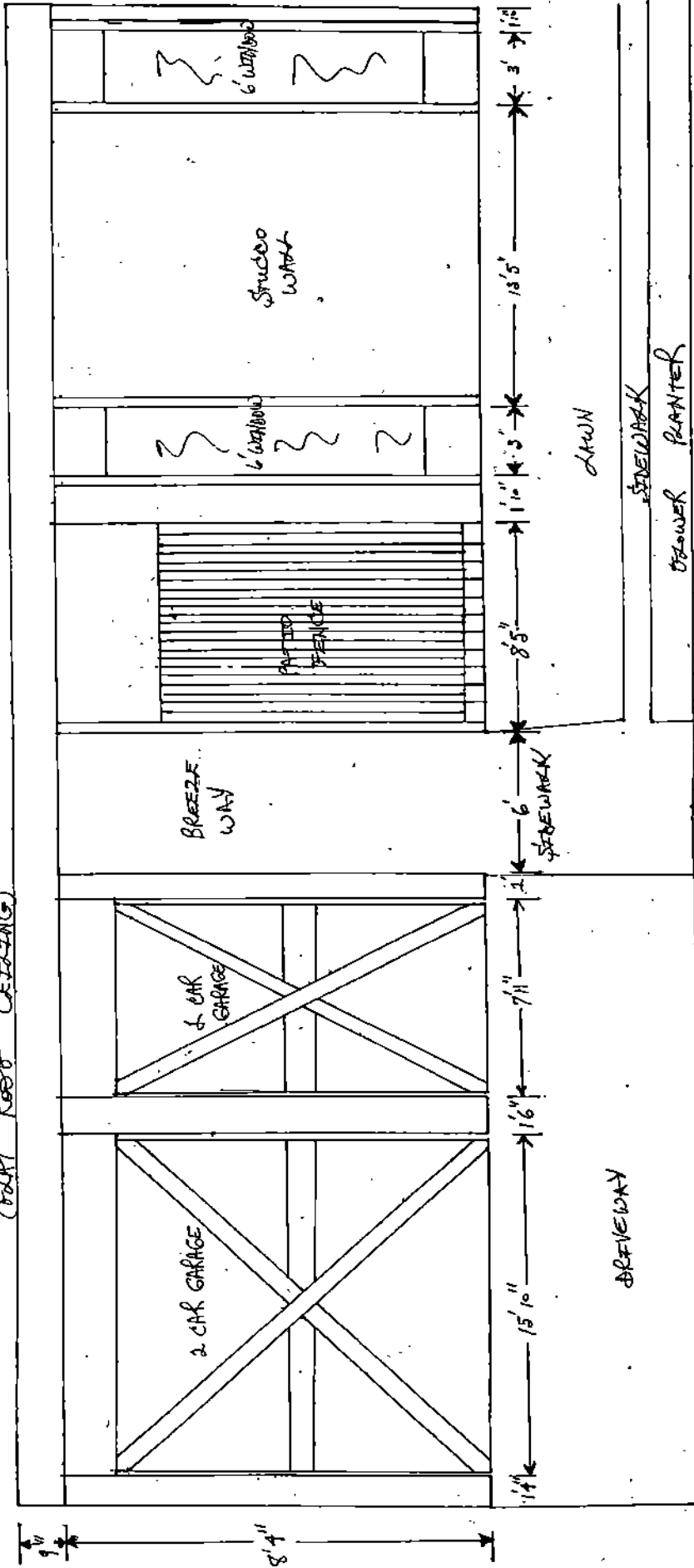
SCALE 1" = 3/4"



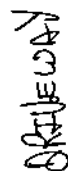
ELEVATION PLANS

BEFORE
FRONTAL VIEW

(FRONT ROOF CEILING)



(Flat Roof Ceiling)



Lawn

SIDE WALK

showed planter.